

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



November 7, 1997

ALL COUNTY LETTER 97 -63

TO: ALL COUNTY WELFARE DIRECTORS
ALL AFDC PROGRAM SPECIALISTS

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation
 Change
 Court Order
 Clarification Requested by
 One or More Counties
 Initiated by CDSS

SUBJECT: CHANGE IN INSTRUCTIONS RELATING TO ELIMINATION OF THE
LUMP SUM RULE

REFERENCE: PAOLI v. ANDERSON COURT CASE
ALL COUNTY LETTER 97-51

The purpose of this letter is to advise counties of a change in the instructions relating to elimination of the lump sum rule. This letter supersedes All County Letter 97-51 and is necessary because of the Paoli v. Anderson court case. The Paoli court order requires counties to:

- (1) immediately cease applying the lump sum rule;
- (2) rescind any lump sum notices of action which have been issued to persons for whom a period of ineligibility has not yet begun;
- (3) provide the attached informing notice (Temp 2148) no later than November 21, 1997 to all cases which counties can identify through electronic data processing as currently being in a period of ineligibility because of the lump sum rule;
- (4) for persons who apply for aid and would otherwise be in a period of ineligibility due to the lump sum rule, use the standard process to determine eligibility and pay benefits, including evaluating immediate need as required by Manual of Policies and Procedures (MPP) Section 40-129;
- (5) orally ask applicants who identify themselves as being in a period of ineligibility because of the lump sum rule whether they are currently in any of the emergency situations specified in MPP Section 40-129.13, and
- (6) prominently display the attached poster (Temp 2149) from November 21, 1997 through December 31, 1997, in all county welfare offices.

To comply with requirement (6), counties must duplicate the appropriate number of Posters (Temp 2149) necessary using the attached form. Counties may add a phone number to the informing notice or the poster if they wish to direct inquiries.

An All County Letter addressing retroactive benefits will follow under separate cover. Until the further instructions arrive, counties shall flag all cases known to be in a period of ineligibility or to have been in a period of ineligibility on or after November 1, 1996 to facilitate any future implementation. If you have any questions about this letter, please call Mr. Vincent Toolan at (916) 654-1808.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce Wagstaff".

Bruce Wagstaff
Deputy Director
Welfare to Work Division

Attachment

WELFARE LUMP SUM RULE HAS ENDED

The lump sum rule has ended and you can reapply for cash aid. A lump sum is money that is available to you one time or once in a while such as:

- Some back benefits like workers' compensation and Social Security disability;
- Insurance settlements or court awards etc.
- Inheritances

If you got a lump sum your case was put into a lump sum period of ineligibility where you could not get cash aid. We figured your period of ineligibility by dividing the amount of your lump sum by the maximum need amount for the size of your assistance unit.

The new rule is that this lump sum is now treated as regular income in the month you get it and as property after that.

Your case has been identified as a case in a lump sum period of ineligibility. You may now be able to get cash aid if you reapply. You may reapply immediately if you think you are eligible. Bring this notice with you.

You may also be eligible for back cash aid. The County will tell you later about how to get back cash aid if you are eligible.

LA REGLA DE LA ASISTENCIA PUBLICA (WELFARE) SOBRE LAS CANTIDADES GLOBALES HA TERMINADO

La regla sobre las cantidades globales ha terminado y usted puede volver a presentar una solicitud para asistencia monetaria. Una cantidad global es dinero que está a su disposición una sola vez o de vez en cuando, por ejemplo:

- algunos beneficios retroactivos como compensación por lesiones de trabajo e indemnización del Seguro Social por incapacidad/discapacidad
- pagos recibidos por convenios con compañías de seguros o cantidades ordenadas por la corte, etc.
- herencias

Si usted recibió una cantidad global, su caso se puso en un período de inelegibilidad durante el cual no podía recibir asistencia monetaria. Calculamos su período de inelegibilidad dividiendo la cantidad global entre la cantidad máxima para necesidades correspondiente al tamaño de su unidad de asistencia.

La nueva regla es que esta cantidad global ahora se considera como ingresos regulares para el mes en que usted la recibe y después se considera como propiedad o bienes.

Su caso se ha identificado como un caso en un período de inelegibilidad debido a una cantidad global. Es posible que ahora usted pueda recibir asistencia monetaria si la solicita otra vez. Usted puede presentar otra solicitud inmediatamente si piensa que es elegible. Traiga esta notificación con usted.

Es posible que usted también sea elegible para recibir asistencia monetaria retroactiva. El condado le notificará después sobre cómo recibir asistencia monetaria retroactiva si usted es elegible.

WELFARE LUMP SUM RULE HAS ENDED

If your family is in a period of ineligibility because you got a lump sum you may now be able to get cash aid if you reapply. You may reapply immediately if you think you are eligible.

Here's why

The lump sum rule has ended. A lump sum is money that is available to you one time or once in a while such as:

- Some back benefits like workers' compensation and social security disability
- Insurance settlements or court awards etc.
- Inheritances

If you got a lump sum your case was put into a lump sum period of ineligibility where you could not get cash aid. We figured your period of ineligibility by dividing the amount of your lump sum by the maximum need amount for the size of your assistance unit.

The new rule is that this lump sum is now treated as regular income in the month you get it and as property after that.

LA REGLA DE LA ASISTENCIA PUBLICA (WELFARE) SOBRE LAS CANTIDADES GLOBALES HA TERMINADO

Si su familia se encuentra en un período de inelegibilidad debido a que recibió una cantidad global, es posible que ahora usted pueda recibir asistencia monetaria si la solicita otra vez. Usted puede presentar otra solicitud inmediatamente si piensa que es elegible.

La razón es la siguiente:

La regla sobre las cantidades globales ha terminado. Una cantidad global es dinero que está a su disposición una sola vez o de vez en cuando, por ejemplo:

- algunos beneficios retroactivos como compensación por lesiones de trabajo e indemnización del Seguro Social por incapacidad/discapacidad
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La nueva regla es que esta cantidad global ahora se considera como ingresos regulares para el mes en que usted la recibe y después se considera como propiedad o bienes.

Nếu quý vị không đọc được thông báo này, hãy hỏi nhân viên phụ trách để xin một bản dịch. Vietnamese

បើសិនជាពាក្យកម្មនេះអានសេចក្តីប្រកាសនេះមេ សូមសួររកសេចក្តីបកប្រែពីអ្នកកាន់សំណុំរឿងរបស់លោកអ្នក ។ Cambodian

假如你不能够閱讀這份通知的話，可以向你的工作人員索取一份翻譯本。 Chinese

POST FROM NOVEMBER 21, 1997 THROUGH DECEMBER 31, 1997